

REMARKS

This Amendment is in response to the June 2, 2005 Office Action in the above application. The Applicant has received and fully considered the Office Action and its rejections.

Claims 1, 4, 5, 14, 19, and 22-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Pelet (French Patent # 83262). In order to show a prima facie case of failing to meet the novelty requirements under 102(b) there must be one piece of prior art which teaches all of the limitations in the claim being rejected. Claim 1 and 19 include the limitation of the wing being located above the curved surface. In viewing the drawings from Pelet the part of the device (#17) which corresponds to the wing in the present invention is not above the part (#14) corresponding to the curved surface in the present invention but instead surrounds the curved surface.

Claim 1 and 19 have been further amended to better describe the relation between wing and the curved surface by including the limitation that the second airflow can exit radially outward from the passageway. This is not possible with the device disclosed in Pelet. The airflow from the device in Pelet must exit the passageway in a downward direction.

Claims 4, 5 and 14 depend from claim 1 as such they include the same limitations discussed above which are not disclosed in Pelet. Likewise claims 22 – 24 depend from claim 19 and include the same limitations discussed above which are not disclosed in Pelet. For the foregoing reasons, the applicant respectfully requests that the rejection of claims 1, 4, 5, 14, 19 and 22 through 24 under 35 U.S.C. 102(b) based upon Pelet be withdrawn.

Claims 2, 3, 6, 7, 18, 20, 21, 28, 29 and 35 are rejected under 35 U.S.C. 103(a) as being obvious over Pelet in view of Rebasti (USPN 2,996,266). There is nothing to suggest combining

these two pieces of prior art. They teach away from one another. Pelet teaches the thrust exiting from the bottom of the craft. Rebasti teaches having the flow of air exiting the side of the craft without taking advantage of increasing the mass of the airflow through the use of a venturi or other suction effect. For the foregoing reasons the applicant respectfully requests that the rejection of claims 2, 3, 6, 7, 18, 20, 21, 28, 29 and 35 under 35 U.S.C. 103(a) as being obvious over Pelet in view of Rebasti be withdrawn.

Claims 8-10, 15-17, and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pelet. In order to present a prima facie case of obviousness all of the limitation of each rejected claim must be disclosed in the prior art. Claims 8-10 and 15-17 all depend either directly or indirectly from claim 1 and include all of the limitations of claim 1. As mentioned above Pelet does not disclose the limitation of the secondary airflow exiting radially outward from the passageway. Further, Pelet does not disclose the use of flaps along the trailing edge of the wing which can be used to redirect the second air flow downwardly. Claims 25 through 27 all depend from claim 19 which has the same limitations of the second airflow exiting radially outwards from the passageway and the flap or flaps along the trailing edge of the wing being able to redirect the second airflow downward.

For these reasons, the applicant respectfully requests that the rejection claims 8-10, 15-17 and 25-27 under 35 U.S.C. 103 (a) based upon Pelet be withdrawn.

Claims 11 through 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pelet in view of Vass (USPN 5503351). In order to show a prima facie case of obviousness it is necessary for all of the limitations of the rejected claim to be found in the cited prior art. Claim 11 includes the limitation of attaching the propulsion system as described in claim 1 to a wheeled conveyance likewise claim 12 claims attaching the propulsion system of claim 1 to a watercraft.

Claim 13 in turn includes the limitation of adapting the propulsion system of claim 1 to a hovercraft. Neither Pelet nor Vass disclose the possibility of adapting a propulsion system to a watercraft, a wheeled conveyance watercraft or hovercraft. Also as mentioned above, both Pelet and Vass would require that the airflow from the propulsion system exit the system downwards whereas claim 1, from which claims 11 through 13 depend, includes the limitation of the second airflow to exit the propulsion system radially outward.

For the reasons cited above, the applicant respectfully requests the rejection of claims 11 through 13 under 35 U.S.C. 103(a) as being unpatentable over Pelet in view of Vass to be withdrawn.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pelet in view of Sakamoto (USPN No. 4941628). In order to provide a prima facie case of obviousness, the cited prior art must contain all of the limitations of the rejected claim. Claim 30 includes the limitation of a bypass which goes from the interior surface of the coanda to the exterior surface of the coanda. This would be an operably openable and closable passageway from the first airflow generated by the airflow inducement mechanism and the second airflow, the bypass in Sakamoto allows for suction from the external air adjacent to the outlet nozzle. This would not provide the same amount of benefit of increased mass flow of air as in the invention as claimed in claim 30.

For this reason the applicant respectfully requests that the rejection of claim 30 under 35 U.S.C. 103(a) based upon Pelet in view of Sakamoto be withdrawn.

Claims 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pelet and Sakamoto in view of Shuba (USPN No. 5261228). In order to provide a prima facie case of obviousness the cited prior art must contain all of the limitations found in the rejected claim or

claims. Claims 31 through 34 depend indirectly from claim 19 which includes the limitation of the second airflow exiting radially outward. Neither Pelet, Sakamoto nor Shuba disclose this limitation. Claim 19 also includes the limitation of a bypass between the interior surface of the coanda and the exterior surface of the coanda. As discussed above, Sakamoto as well as Pelet and Shuba do not disclose a bypass which operates similarly or has the same effect on the efficiency of the operation.

Finally, there is nothing in Shuba, Sakamoto or Pelet that would suggest that they could be combined. Shuba deals with the operation of the gas turbine engine and an apparatus for bleeding air for the efficient operation of that engine. The issues addressed in Shuba are in no way related to the aerodynamic issues addressed in Pelet and Sakamoto. It is the applicant's contention that it would not be obvious for somebody skilled in the art to combine these two vastly differing areas of technology.

For the reasons above, the applicant respectfully requests that the rejection of claims 31 through 34 under 35 U.S.C. 103(a) as being unpatentable over Pelet and Sakamoto in view of Shuba be withdrawn.

It is the applicant's belief the amendments herein place the application in condition for a Notice of Allowance which is respectfully requested.

Further, enclosed is a Change of Attorney Correspondence, a Request for Continued Examination and a Petition For A Three-Month Extension of Time.

Any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-1971.

Should any other amendments be necessary to place the application in condition for a Notice of Allowance, Examiner Barefoot is invited to call the undersigned at the below noted telephone number.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chad M. Hinrichs", is written over a horizontal line.

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